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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

WACHOVIA BANK, NATIONAL  
ASSOCIATION,

Plaintiff,

v.

THORNBURG MORTGAGE, INC.,

Defendant.

Case No: 07-7486 (RSH)

**NOTICE OF DISMISSAL**

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, the above titled action, as against Defendant Thornburg Mortgage, Inc., is hereby voluntarily dismissed without costs to any party. No answer has been served by Defendant Thornburg Mortgage, Inc.

Dated: New York, New York  
August 28, 2007

**SHEARMAN & STERLING LLP**

By: Henry Weisburg / KF

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Attorneys for Wachovia Bank,  
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**SO ORDERED:**

[Signature]  
U.S.D.J.  
9/4/07